

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LABMD, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 15-92
	)	Magistrate Judge Maureen P. Kelly
	)	
TIVERSA HOLDING CORP. <i>formerly</i>	)	Re: ECF No. 517
<i>known as</i> TIVERSA, INC.; ROBERT J.	)	
BOBACK; M. ERIC JOHNSON; DOES	)	
1-10,	)	
Defendants.	)	

**ORDER OF COURT**

Previously the Court considered a second Motion to Withdraw as Counsel for Plaintiff LabMD, Inc. (“LabMD”) filed by Attorney Marc Davies of Marc Davies, P.C. ECF No. 517. The Court denied the motion without prejudice on October 22, 2020 because LabMD, a corporation, did not have substitute counsel. ECF No. 521.

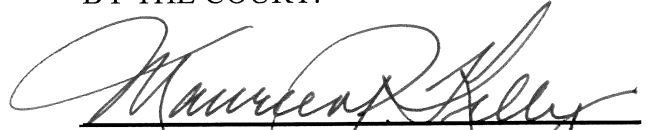
Attorney Davies and LabMD appealed this Order to the United States Court of Appeals of the Third Circuit, at Case Nos. 20-3191 and 20-3316. ECF Nos. 522, 523, 527, 528. On appeal, the Third Circuit vacated the Court’s Order at ECF No. 521 and remanded for further consideration. ECF Nos. 542 and 543; see also LabMD v. Boback, 47 F.4th 164, 190-91 (3d Cir. 2022).

Upon reconsideration, the Court notes that substitute counsel for LabMD has since entered her appearance on December 9, 2022. ECF No. 557. As a result, the Court finds that it is appropriate to grant Attorney Davies’ Motion to Withdraw as counsel for LabMD.

Accordingly, for the reasons set forth herein, IT IS HEREBY ORDERED that the second Motion to Withdraw as Counsel, ECF No. 517, is GRANTED. The Clerk of Court is directed to terminate Attorney Davies as counsel of record for LabMD.

Dated: December 9, 2022

BY THE COURT:

  
MAUREEN P. KELLY  
UNITED STATES MAGISTRATE JUDGE

cc: All counsel of record via CM/ECF.